REMARKS

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Claims Objections

Claims 28 and 48 have been objected to for certain informalities. In response, claims 28 and 48 have been corrected as suggested.

Claim Rejections under 35 U.S.C. §112

Claims 36 and 46 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In particular, the Examiner asserts that "there is no mention of another embodiment of the invention having a thread as a member of a 'class' of threads and 'included in the pool of threads'" (Office Action of 5/16/06, page 3). However, the specification specifically states that "the operating system may recognize 'real time' priorities attributed to certain threads within the pool threads 202" (specification, page 23, lines 12-14). The fact that the specification refers to priorities in the plural establishes that priority alone may be used to identify different classes of threads within the pool of threads.

In addition, the specification also states that "thread affinity may also be specified by a process affinity mask, for a process within which the thread is included" (specification, page 23, lines 7-10). Identifying threads for use with specific processes may be used to identify other classes of threads.

As such, the specification does support the concept of different classes of threads. Since

the specification supports the concept of different classes of threads, the rejections are improper and should be withdrawn.

Claims 28, 37 and 47 have been rejected because "There is no discloser of teaching of the transaction routing task being executed in any part of the claim nor when it is executed" (Office Action of 5/16/06, page 3). In response, claims 28, 37 and 47 have been more generally limited to processing transaction routing tasks. Since the limitations of claims 28, 37 and 47 are clearly consistent with processing transaction routing tasks, the rejections are now improper and should be withdrawn.

Claims 28, 37 and 47 have been rejected for the limitation "dynamically assigning a new priority." In response, the limitation has been deleted thereby obviating the rejections.

Claims 34 and 44 have been rejected because "assigning the thread priority to the available thread based on a priority of the transaction routing task distributed to the available thread' appears to assign priority to a transaction routing task in a thread that already has a priority . . . it is unclear which section of the specification this limitation would belong to" (Office Action of 5/16/06, page 4). However, there is no reason why this limitation should be limited to any section of the specification because the limitation is not inconsistent with any part of the specification. For example, the priority of the transaction routing task could preempt the priority of the thread. Since the limitation is not inconsistent with the specification, the rejection is improper. Since the rejection is improper, it should be withdrawn.

Claims 35 and 45 have been rejected because "Claims 35 and 45 recite, 'determining a best match between the transaction routing task and the available thread,' in which there is no disclosure as to how this determination step is carried out nor is there any teachings as to what

constitutes the 'best match" (Office Action of 5/16/06, page 4). However, the specification explicitly states that "This 'BestMatch' determination may be based on any number of parameters, such as a dynamically assigned priority or processor affinity" (specification, page 20, lines 15-20). Since the specification, in fact, does teach how the determination step is carried out, the rejections are improper and should be withdrawn.

Rejections under 35 U.S.C. §103

Claim 28-48 stand rejected under 35 U.S.C. §103a). Applicant respectfully traverses this rejection.

Claim 28-35, 37-45 and 47-48 stand rejected under 35 U.S.C. §103a) as being obvious over U.S. Pat. No. 6,134,318 to O'Neil in view of U.S. Pat. No. 6,222,530 to Sequeira. In response, claim 1 has been further limited to "creating a respective task object . . . queuing the task objects in a task object queue; distributing a task object . . . based upon a relative priority of the task objects." Independent claims 37, 47 and 48 have been similarly limited.

Support for "creating a respective task object" and "queuing the task objects" may be found in the specification on page 15, lines 13-15. Support for "distributing a task object . . . based upon a relative priority of the task objects" may be found in the specification on page 22, lines 17-22.

The claims are now clearly limited to the use of task objects used in the context of object oriented programming. Newton's Telecom Dictionary (21st Ed.) defines object oriented programming "a form of software development that models the real

world through representation of 'objects' or modules that contain data as well as instructions that work upon that data." In this regard, "Each task 250 is furthermore shown to include a reference (e.g., a pointer) 256 to a current step or a number of steps that constitute the task 250, a variable context 258 (i.e., data), a pointer to the workflow from which the task 250 was instantiated, at least one method 262 used to execute the task, and a processor affinity 264 identifying a processor within the multiprocessor environment on which the task should preferably be executed (specification, page 19, line 22 to page 20, line 4). As such, a task object has a specific meaning and structure within the compute arts.

In contrast, O'Neil and Sequeira (and the combination) fail to provide any teaching or suggestion of any method or apparatus for modeling transaction requests as "objects" (as such term is understood in the art) or in the processing of those objects based upon a priority of those objects. Since the combination fails to teach or suggest this claim limitation, the combination fails to teach each and every claim limitation. Since the combination fails to teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Claims 36 and 46 have been rejected under 35 U.S.C. §103(a) as being obvious over O'Neil in view of Sequeira and U.S. Pat. No. 6,105,053 to Kimmel et al. However, Kimmel et al. also suffers from the same deficiency as O'Neil and Sequeira.

More specifically, the combination of O'Neil, Sequeira and Kimmel et al. fail to provide any teaching or suggestion of any method or apparatus for modeling transaction requests as "objects" (as such term is understood in the art) or in the processing of those objects based upon a priority of those objects. Since the combination fails to teach or suggest this claim limitation,

the combination fails to teach each and every claim limitation. Since the combination fails to teach or suggest each and every claim limitation, the rejections are improper and should be withdrawn.

Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,
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